4-20-01

DOCKET NO. PC904.04 / 31132.72 CUSTOMER NO. 000046333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re application of: BRYAN et al. | § | Crown Art Haits 2720 |
|------------------------------------|--------|-----------------------------|
| DRIAN et al. | § § | Group Art Unit: 3738 |
| Serial No. 10/017,611 | § 8 | Confirmation No.: 7910 |
| Filed: December 14, 2001 | . § | Examiner: David J. Isabella |
| For: Human Spinal Disc Prosthesis | § | |

Director of the United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 Mail Stop 16

REQUEST FOR REFUND

Dear Sir:

On March 26, 2997, Applicant filed a Revocation/New Power of Attorney by Assignee, an Amendment and a Terminal Disclaimer with the U.S. Patent and Trademark Office via EFS-Web. The Patent Office was authorized to charge our Deposit Account for all incurred fees. Our Deposit Account was charged for a Processing Fee (\$130), Statutory Disclaimer Fee (\$130), Two Month Extension of Time (\$450) and excess claims (\$500). The fee for the Terminal Disclaimer was incorrectly listed as an "1808 - Processing Fee" instead of the "Statutory Disclaimer Fee". A copy of the submission of payment is included herewith.

Therefore, as the "1808 - Processing Fee" was not a proper charge necessary for the application, Applicant respectfully requests a refund of \$130.00 to be credited to the Deposit Account of Haynes and Boone, LLP Number 08-1394.

Respectfully submitted,

J. Andrew Lowes

Registration No. 40,706

Date: 7 7 0 7 0 1
HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, TX 75202

Phone: 972-680-7557 Fax: 214-200-0853 File No. 31132.72 I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office via EFS-Web on the following date.

Date: 4-10-0'

Karenii Linderwood

| Electronic Patent Application Fee Transmittal | | | | | |
|---|---------------------------------|---------------------------------------|------------|-----------------|-------------------------|
| Application Number: | 10017611 | | | | |
| Filing Date: | 14-Dec-2001 | | | | |
| Title of Invention: | н | JMAN SPINAL DIS | SC PROTHES | SIS WITH HINGES | |
| First Named Inventor/Applicant Name: | Vincent Bryan | | | | |
| Filer: | J. Andrew Lowes/Karen Underwood | | | | |
| Attorney Docket Number: | 46739/268134 | | | | |
| Filed as Large Entity | | | | | |
| Utility Fillng Fees | | | | | |
| Description | | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
| Basic Filing: | | • | | | |
| Pages: | | | | | |
| Claims: | | | | | |
| Miscellaneous-Filing: | | • | | | |
| Petition: | | | | | |
| Patent-Appeals-and-Interference: | | | | • | |
| Post-Allowance-and-Post-Issuance: | | · · · · · · · · · · · · · · · · · · · | | | |
| Extension-of-Time: | | | | | |
| Extension - 2 months with \$0 paid | | 1252 | 1 | 450 . | 450 |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|---|-------------------|----------|--------|-------------------------|
| Miscellaneous: | | • | | |
| Processing Fee, except for Provis. apps | 1808 | 1 | 130 | 130 |
| | Total in USD (\$) | | | 580 |

| Title of Invention: HUMAN SPINAL DISC PROTHESIS WITH HINGES First Named Inventor/Applicant Name: Vincent Bryan J. Andrew Lowes/Karen Underwood Attorney Docket Number: J. Andrew Lowes/Karen Underwood Attorney Docket Number: Filed as Large Entity Utility Filing Fees Description Fee Code Quantity Amount Sub-Total in USD(\$) Basic Filing: Pages: Claims: Alscellaneous-Filing: Patent-Appeals-and-Interference: | Electronic Patent Application Fee Transmittal | | | | | | | |
|--|---|---|-------------|--------|-------------------------|--|--|--|
| Filtle of Invention: HUMAN SPINAL DISC PROTHESIS WITH HINGES First Named Inventor/Applicant Name: Vincent Bryan J. Andrew Lowes/Karen Underwood Attorney Docket Number: 46739/258134 Filed as Large Entity Utility Filing Fees Description Fee Code Quantity Amount Sub-Total in USD(\$) Basic Filing: Pages: Claims: Miscellaneous-Filing: Patent-Appeals-and-Interference: | Application Number: | 10017611 | | | | | | |
| First Named Inventor/Applicant Name: Vincent Bryan J. Andrew Lowes/Karen Underwood Attorney Docket Number: 46739/268134 Filed as Large Entity Utility Filing Fees Description Fee Code Quantity Amount Sub-Total in USD(\$) Basic Filing: Pages: Claims: Wiscellaneous-Filing: Petition: | Filing Date: | 14-Dec-2001 | 14-Dec-2001 | | | | | |
| Attorney Docket Number: Attorney Docket Number: 46739/268134 Filled as Large Entity Utility Filling Fees Description Fee Code Quantity Amount Sub-Total in USD(\$) Basic Filling: Pages: Claims: Miscellaneous-Filling: Patent-Appeals-and-Interference: | Title of Invention: | HUMAN SPINAL DISC PROTHESIS WITH HINGES | | | | | | |
| Attorney Docket Number: Filed as Large Entity Utility Filing Fees Description Fee Code Quantity Amount Sub-Total in USD(\$) Basic Filing: Pages: Claims: Wiscellaneous-Filing: Patent-Appeals-and-Interference: | First Named Inventor/Applicant Name: | Vincent Bryan | | | | | | |
| Utility Filing Fees Description Fee Code Quantity Amount Sub-Total in USD(\$) Basic Filing: Pages: Claims: Miscellaneous-Filing: Patent-Appeals-and-Interference: | Filer: | J. Andrew Lowes/Karen Underwood | | | | | | |
| Description Fee Code Quantity Amount Sub-Total in USD(\$) Basic Filing: Pages: Claims: Petition: Patent-Appeals-and-Interference: | Attorney Docket Number: | 46739/268134 | | | | | | |
| Description Fee Code Quantity Amount Sub-Total in USD(\$) Basic Filing: Pages: Claims: Petition: Patent-Appeals-and-Interference: | Filed as Large Entity | | | | | | | |
| Pages: Claims: Miscellaneous-Filing: Patent-Appeals-and-Interference: | Utility Filing Fees | | | | | | | |
| Pages: Claims: Miscellaneous-Filing: Petition: Patent-Appeals-and-Interference: | Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) | | | |
| Claims: Miscellaneous-Filing: Petition: Patent-Appeals-and-Interference: | Basic Filing: | | | | | | | |
| Miscellaneous-Filing: Petition: Patent-Appeals-and-Interference: | Pages: | | | | · | | | |
| Petition: Patent-Appeals-and-Interference: | Claims: | | | | | | | |
| Patent-Appeals-and-Interference: | Miscellaneous-Filing: | | | | | | | |
| | Petition: | | | | | | | |
| Post-Allowance-and-Post-Issuance: | Patent-Appeals-and-Interference: | | | | | | | |
| | Post-Allowance-and-Post-Issuance: | | | | | | | |
| Extension-of-Time: | Extension-of-Time: | | | | 450 | | | |
| Extension - 2 months with \$0 paid 1252 1 450 450 | Extension - 2 months with \$0 paid | 1252 | 1 | 450 | 450 | | | |

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| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
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| Miscellaneous: 💃 | | | | |
| Processing Fee, except for Provis. apps | 1808 | 1 | 130 | 130 |
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